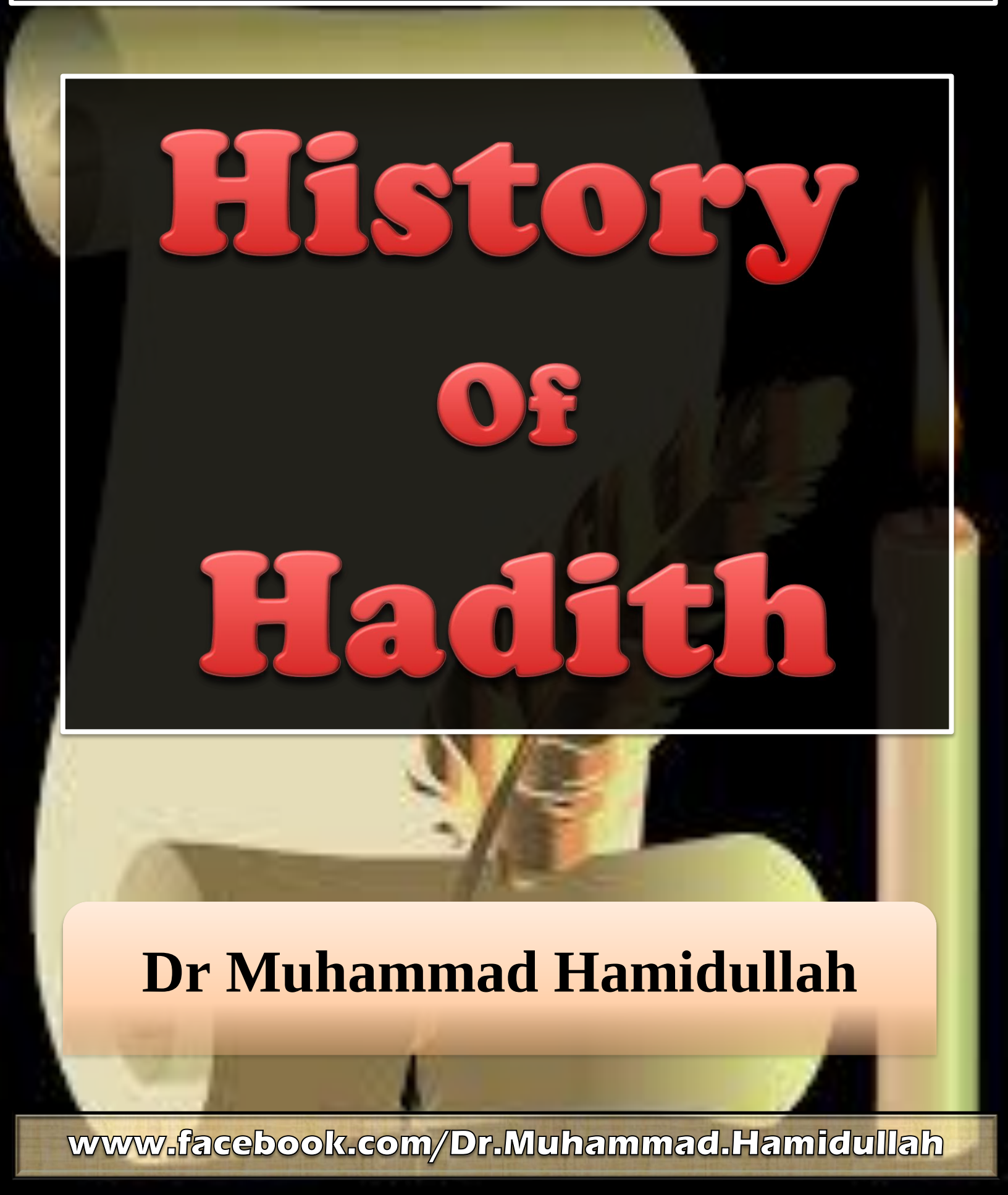
The Emergence of Islam-II



History Of Hadith

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Emergence of Islam

Lecture: II

History of Hadith

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Table of Contents

Dr Muhammad Hamidullah ……..…2

Quran and Hadith ……..……5

Prohet's Sayings and Revelation ……...7

Importance of Hadith…….……9

Early Hadith Documents ……..12

Constituion Of Madina ……...15

Need For a State ……..……..17

State of Madina …….……20

Beginning of Hadith Collection …….22

Early Compilation of Hadith ……..……25

Narrations of Companions …….……26

Prohibition to Write Hadith …….……39

QUESTIONS AND ANSWERS……..41

Dr. Muhammad Hamidullah

Dr. Muhammad Hamidullah, was born on February 9, 1908, in the state of Hyderabad Deccan in the Indian subcontinent. He was the youngest of 3 brothers and 5 sisters.

In Hyderabad, Dr. Hamidullah was educated at Darul-Uloom secondary school, Nizam College and Osmania University from where he obtained his MA and LLB degree in International Law. From 1933-35 he studied at several universities in Europe and obtained a doctorate from Bonn University in Germany. In 1936, he obtained a degree from the Sorbonne University, France. From 1936-46 he served on the faculty of Osmania University teaching International Law.

In 1946, he was appointed as member of the delegation sent by the Nizam of Hyderabad at the League of the Nations. After the 1948 invasion of Hyderabad by the Indian army, Hamidullah chose to live in exile in France. In 1948, he founded the Hyderabad Liberation Society to get Hyderabad recognized as an independent state. He decided to stay as a stateless person as long as the question of Hyderabad was still open in the United Nations.

In 1985, he was awarded the Hilal-e-Imtiaz, the highest civilian award of Pakistan that includes a substantial monetary amount. He donated the award money to Islamic Research Academy, Islamabad.

He stayed in France till 1996, when he was forced to move to the USA because of illness. The professor never married. During the last few years of his life, he was being taken care of by the grand daughter of his brother, sister Sadida who left her job to devote herself to his care.

Professor Hamidullah's scholarship is unparalleled in the last century. He was fluent in 22 languages including Urdu, Arabic, French, English, etc. He learned Thai at the age of 84. He translated the Qur'an in French and many other languages. He also translated a number of other important Islamic books in many European languages. He gave lectures in various universities around the world, some of which have been published. His works on Islamic science, history and culture number more than 250. His books have been translated in many languages.

Some of his most famous books include:

"Introduction to Islam",
"Muhammad Rasulullah",
"The Battlefields of Prophet Muhammad",
"The Muslim Conduct of State", and
"The First Written Constitution."

One of his great contributions to the hadith literature was the discovery of Sahifa Hammam bin Munabbah, the earliest hadith manuscript still extant today. Two copies of it were discovered; one in a Damascus library

and the other in a library in Berlin. Dr. Hamidullah published it after carefully comparing the two manuscripts.

He wrote several researched treatise on the early life of Muslims. Dr. Muhammad Hamidullah was well known for the great quality and high caliber of his research in Islamic Law and history. He was recognized as one of the most authoritative scholars in Islamic International Law and Islamic Constitutional aw. At its initial stages, he was invited by the government of Pakistan to help draft the constitution of Pakistan.

This great scholar led a life of simplicity, patience and humility. He passed away in his sleep on December 17, 2002 at the age of 95 in Jacksonville, Florida.

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QUR'ĀN AND HADĪTH

The *Hadīth* Inevitably follows the Holy Qur'ān. The two together furnish the fundamental law of Islam. It is appropriate, therefore, to begin with the importance of *Hidīth* and the nature of its link with the Qur'ān. At numerous places the Qur'ān commands Muslims to obey the Prophet (peace bo upon him). It says, for Instance: "Whatsoever he forbids you, abstain from it (59:7) Another verse expresses the same idea more forcefully. Whoso obeys the Messenger obeys Allah indeed" (4:80).

These as well as other similar verses give us some idea of the Qur'ānic concept of *Hadīth* which is by no means an unimportant discipline, but is to be treated almost at a par with the Holy Qur'ān.

Take the example of an ambassador carrying a message of his master to another sovereign. It is obvious that the letter given to him will not carry much detail. In the discussion that follows on the subject every word uttered by an envoy would be taken as the word of his sovereign. The purpose in citing the example is to underline the fact that both the Qur'ān

and the Hadīth are essentially the same thing. They carry an equal status. Yet another example will help elucidate this thesis more clearly. Suppose the Prophet (peace be upon him) is alive today. One of us goes to meet him and announces his conversion to Islam. Addressing the Prophet (peace be upon him), he then proceeds to say: "The Qur'ān is the word of God and I accept it. But the Hadīth is your own word and I am not obliged to accept it or act on it. The result of such an assertion would be expulsion from the ummah. To say in the presence of the Prophet (peace be upon him) that what he orders is his personal opinion and is not binding on a Muslim is tantamount to repudiating Islam.

The status of an order given by the Prophet (peace be upon him) is the same as that ot a command given by God. The difference between the two has arisen only because the process of collection, collation and preservation ot the Qur'ān has been different from the one followed in respect of the Hadīth. Thus, the problem that arises is that of authentication and investigation. There was no need of proof during the life of the Prophe (Peace be upon him). Whatever he uttered was surely seen to be his command. The problem arose only later. For example, I hear something from the Prophet (peace be upon him) and relate it to you. The Prophet (peace be be upon him) is absolutely right but, as a human being, I have my human weaknesses. My memory can fail me. My understanding of his word can be faulty. It is possible that I did not hear the statement properly, perhaps owing to lack of requisite attention or owing to noise. In brief, there can be many a reason for inaccurate reporting.

That is why the transmission of the *Hadīth* after the death of the Prophet (peace be upon him) does not possess that status of absolute certainty which the Qur'ān does. The Qur'ān was compiled personally by

him. For its preservation he adopted measures which no other Prophet did. At least, no such example is offered by history. This is not the case, however, in regard to Hadīth. The Prophet (peace be upon him) did not pay it the attention that was given to the Qur'ān. One of the possible reasons for the apparent neglect was his innate sense of humility. He looked upon himself as a mere man who did not become superior to others only because he was a Prophet.

PROPHET'S SAYINGS AND REVELATION

Everything that the Prophet (peace be upon him) says is based on revelation. When he receives a revelation he makes no mistake in communicating it in its entirety. When he does not receive a revelation he simply waits because he has no control over it. God reveals when He desires; and when He does not, the Prophet (peace be upon him) has no choice but to wait for he cannot pass on his own thoughts as the revealed truth.

We come across a number of instances in the Hadīth from which it is clear that the Prophet (peace be upon him) used to consult others in mundane matters. For example a Hadīth narrates that the Prophet (peace be upon him) issued certain orders. The Companions enquired whether they were based on revelation. The Prophet (peace be upon him) replied: "Had they been based on revelation I would not have consulted you."

There is another very interesting Hadīth about date-trees. When he ame to Madinah, the Prophet (peace be upon him) happened to see that the pollins of a male tree were being mixed with those of a female tree to

fertilize them. Presumably owing to his innate modesty he did not like this and suggested that it was not appropriate to induce male-female connection between the plants. He advised people to refrain from it When they acted upon his order the produce of dates declined. Some people came to the Prophet (peace be upon him) and told him that owing to lack of pollination the date yield had been substantially reduced. The Prophet (peace be upon him), according to a Hadīth in Tirmidhi, responded: "You know these worldly matters better than I do."

It is clear from this example that a statement of the Prophet (peace be upon him) based upon revelation has the status equal to that of the Qur'ān, but the expression of his own personal opinion would be merely the utterance of a wise and intelligent person, and by no means Divine revelation. It is related in the Hadīth that on th occasions the Prophet (peace be upon him) concluded a prayer after three rak'ahs instead of four, or he went through three instead of the two that were required. Such lapses are human. It is possible they occurred due to Divine dispensation. God has acclaimed the Prophet (peace be upon him) as "a good example" for mankind. "Verily in the Messenger of Allah you have a good example . . ." (33:21).

A Messenger can be a good example and a perfect model only if he remains within human bounds, i.e., he does what other human beings can do. If, on the contrary, he becomes a superman he will cease to be a good example for us. Therefore we come across instances — even if extremely rare — when he does not wake up early enough for the morning prayers, or makes a mistake in the number of rak'ahs offered. God in His wisdom desires mankind to realise that the Prophet is but a human being. We should not think that we cannot emulate his example or perform the task

that he did as a human being. We should remember that the Prophet (peace be upon him) always wanted to ensure that he should do nothing which was beyond the capacity of the *ummah*. Take for example the fast called *wisāl*. The duration of this fast, instead of ending at sunset of the same day, is extended and may last for two days or even more. The Prophet (peace be upon him) emphatically told his followers to desist from it He advised them against tasting for twenty-four hours, too, and suggested a breakfast before dawn. He laid much emphasis on it. Once a Companion pointed out to the Prophet (peace be upon him) that his own practice on this account was different from the one he preached to others and that he too wished to emulate his example. The Prophet (peace be upon him) allowed him to try. The Prophet (peace be upon him) himself fasted for twenty-four hours, and then extended it to forty-eight hours. The people were worried. By chance the moon of the month of Shawwāl was sighted on the 29th of Ramadan and the fast had to be terminated. Had the moon not appeared that day the Prophet (Peace be upon him) might have extended the fast to seventy-two hours. People would have then realised that their ambition to emulate the Prophet (peace be upon him, in certain cases was not entirely proper. Maybe a few individuals are able to emulate him. but the common people are incapable of doing it.

IMPORTANCE OF HADĪTH

The importance of the *Hadīth*, therefore, is by no means less than that of the Qur'ān. The only difference is that we do not have same indeed we have for the Holy Qur'ān, which has been preserved intact exactly in the same form as it existed fourteen hundred years ago in the days of the

Prophet (peace be upon him). Not a word, not a letter, not even a dot has changed. This cannot be said about the *Hadīth*.

Scriptures similar to the Qur'ān are found in other communities. The Jews, for example, have the Torah. Other nations also claim to possess revealed scriptures. But while we have examples of revealed books corresponding to the Qur'ān, we do not see an example corresponding to the *Hadīth*. Something similar exists in Buddhism but it does not enjoy the importance that we attach to *Hadīth*. The basic scripture of Buddhism is somewhat like the sayings of a saint collected by his disciples. The sayings of Buddha have been collected by one person. But *Hadīth* has been collected and narrated by different persons. This characteristic is conspicuous by its absence in others religions. The Hadīth, then, is a branch of knowledge whose equivalent is not to be found in other religions. Under the circumstances, therefore, the possibility of a comparative study does not exist. We shall have to content ourselves only with the history of the traditions of the Prophet (peace be upon him).

Let us begin with a few technical terms. There is the word *Hadīth* and there is the word *Sunnah* The two are almost synonymous. Both have the same meaning and convey the same thing i.e., the sayings of the Prophet (peae be upon him). An account of his actions falls in the same category e.g. someone states that he saw the Prophet (peace be upon him) do a certain act or say a certain thing. And also that which scholars describe as *taqrīr* -- i.e., tacit approval. These are matters which the Prophet (peace be upon him) allowed by his silence. He saw, for example, a Companion perform a certain task and he did not stop him or kept quiet. His silence amounts to approval. It means that his silence can also become a source of Islamic law. It is the duty of the Prophet (peace be upon him) to forbid evil

He can forgive a wrong which could take place owing to ignorance or carelessness on the part of a person but he will certainly forbid its recurrence when he sees someone perfrorming the same wrong act again. In brief, the *Hadīth* comprises three elements, viz. the sayings of the Prophet (peace be upon him), his actions, and his tacit approval of a statement or action of someone else. The technical term for the third category, as we have noted, is *taqrīr*.

The firs! two terms i.e. *Hadīth* and the *Sunnah* were initially different but they are now synonymous. *Hadīth* denotes speech or word, and *Sunnah* means 'the way of doing'. Now the word and deed have both become the same because the narrations of the Companions refer both to the sayings and the deeds of the Prophet (peace be upon him). It was difficult to deal separately with saying and deed. By usage, therefore, the expression *Hadīth* and *Sunnah* now denote both the words and deeds of the Prophet (peace be upon him). The difference between the two has practically disappeared.

There is a third category between the Qur'ān and the *Hadīth* and that is *hadīth qudsī*. There is not much material difference between the two kinds of *Hadīth* but to a degree both are to be treated separately. *Hadīth qudsī*, too, is a tradition narrated by the Prophet (peace be upon him), but it always begins with the words "God says". This is an indication that the entire statement is based on revelation. We can agree that all statements of the Prophet (peace be upon him) are based on Divine revelation. ("Nor does he speak out of his own desire. It is nothing but pure revelation that has been revealed by God.") (53:3-4). But in a narration where the Prophet (peace be upon him) himself begins the statement with "God says", the scholars accord it a superior status and record it as *Hadīth qudsī*. Such a

statement is passed from generation to generation cxactly in the same way as other submenu attributed to the Prophet (pcace be upon him) in which he does not use the preface peculiar to Hadīth qudsī. There is a lot of literature available on this subject — both published and unpublished.

There are two main kinds of *Hadīth* i.e., official letters or documents and private collections by Companions of the statements and actions of the Prophet (peace be upon him). Let us deal with the first category.

EARLY HADĪTH DOCUMENTS

A few documents date back to a period even earlier than the migration to Madinah. We are no doubt aware that in the fifth year of prophethood, when the pagan Makkans intensified their persecution of Muslims, some of them were permitted by the Prophet (peace be upon him) to emigrate to Abyssinia. In this connection we come across a document often referred to in the books on the *Sīrah* i.e., the life of the Prophet (peace be upon him). This is a letter to the king of Abyssinia which the Prophet (peace be upon him) gave to his first cousin, Ja‘far al-Tayyār, with instructions to deliver it to the king. Towards the end the letter has words to this effect:

“I am sending my cousin Ja‘far to you. He is accompanied by some other Muslims. Please extend your hospitality to them when they present themselves to you.”

It is obvious that even though it does not bear a date the letter relates to the period of emigration to Abyssinia. Similarly we have another interesting document of the period which has caused surprise to some. This is the case of Tamīm al-Dārī. He was a Christian from Syria. He came to Makkah and embraced Islam. He was a much travelled sailor

whose voyages have been mentioned in some detail in the *Sahih* of Muslim. Tamīm al-Dārī told the Prophet (peace be upon him) that he was sure that the Muslim army would soon conquer Syria, his country. "When this comes about", said the Syrian, "I should be awarded such and such a village as my fief ". According to the historians, the Prophet (peace be upon him) dictated a document to this effect and gave it to Tamīm al-Dārī. Its words were: "If Martum Hebron and. . . [mentions the names of some villages] are conquered, they should be given to Tamīm al-Dārī. This is also one of the first documents of the Migration period. Other writings relating to this time are also available.

The second period relates to the migration to Madinah and covers about a dozen days spent in the actual journey from Makkah to Madinah. We also came across documents of this period. For example, there is the incident of Surāqah ibn Mālik pursuing the Prophet (peace be upon him) with the intention of arresting him and then selling him to the Quraysh who had placed a price on his head. A number of miracles took place and Surāqah eventually sought forgiveness. The Prophet (peace be upon him) forgave him. Upon this he requested tor permit of safety. Narrators relate that the Prophet (peace be upon him) had pen, ink and paper with him during the journey and that one of the members of his party was a slave by the name of ʻĀmir ibn Fahīrah. The Prophet (peace be upon him) dictated the document to him. It guaranteed peace and protection to Surāqah ibn Mālik on behalf of the Prophet (peace be upon him). Later he became a Muslim. When he came for the purpose of conversion he produced the letter of the Prophet (peace be upon him). The Companions allowed him to proceed on the basis of the letter with the result that the crowds

notwithstanding, Surāqah was ushered into the presence of the Prophet (peace be upon him) and talked to him.

This document is among the writings related to the period of Migration. They are not many. Probably this is the only example of a document relating to the actual journey marking the migration.

The number of documents increased gradually with the arrival of the Prophet (peace be upon him) in Madinah. Among these were both official and private papers. Some documents are of such a nature as could not be expected to exist during this period. For example the *Sahīh* of Bukharī records that once the Prophet (peace be upon him) ordered a census of Muslims. The order was carried out. According to the same source a list of 1500 names was prepared. It included men, women and children. Bukharī does not clearly record the year of the census but judging from the limited number it seems to have taken place immediately after the Migration. Presuming that two hundred families moved from Makkah, the total number of Emigrants should be around five hundred. Also included in the list were Muslims of Madinah. The total of 1500, therefore, suggests that the event belongs to the early rather than the later period when the number of Muslims had much increased. In the Farewell Pilgrimage, for example, one hundred and forty thousand people performed the Pilgrimage. There is obviously a great difference between fifteen hundred and one hundred and forty thousand!

CONSTITUTION OF MADINA

Besides the census, we come across another event which probably took place in the first year of the *Hijrah*. That too was in an unexpected form. It was neededa strange occurrence. It was the constitution of the state. Why did it become necessary to have a constitution?

Owing the persecution by the Quraysh the Muslims of Makkah moved to Madinah and were joined by the Prophet (peace be upon him) later. Had the Quraysh desisted from continuing their hostility, the Muslims might have soon forgotten the loss of life and property, and their exile from the homeland. They might have started a new life in Madinah. But the Quraysh of Makkah did not leave them in peace. Seeing that their enemy — the prophet (peace be upon him) — had escaped from their clutches, they were wild with rage. They wrote a letter to the citizens of Madinah demanding that their enemy who had taken refuge in their land should either be expelled or killed or else the Quraysh would take "appropriate steps."

It is obvious that the Muslims of Madinah could not accept any of these demands. An ignorant or an inept ruler would have ignored the ultimatum contained in the last line about "appropnaie steps", but the Prophet (peace be upon him) had to set an example to posterity and provide guidelines for later rulers how to deal with a powerful enemy in such a situation, and how best to safeguard their national interests. The Prophet (peace be upon him), therefore, took certain precautionary measures. The first was to provide for the destitute refugees who had come empty-handed to a new

land. Difficulties involved in such an undertaking are enormous. Not all the problems of refugees have been solved despite the vast resources of the modem world. Not only in Pakistan but in Germany and other countries confronted with such an issue, it has been extremely difficult to solve the problem of refugees.

The people who initially migrated to Madinah were not many — probably a few hundred — but the resources at that time were very limited. To provide for permanent settlement of some few hundred people in a small town like Madinah was by no means an easy task. It was equal to accommodating a million people in the present times. But the Prophet (peace be upon him) with his political sagacity resolved the matter in no time. He sent for the comparatively prosperous people of Madinah together with representatives of the Emigrants from Makkah — men who were heads of families. When both the groups had assembled, the Prophet (peace be upon him) addressed the Ansār — the Helpers — and commended the Migrants from Makkah to them on the plea that they were their brothers in faith who had left then hearth and home for the sake of Islam It was. therefore the duty, of the Muslims of Madinah to help them. The Prophet (peace be upon him) proposed that every family of the Helpers in Madinah should adopt a family each from the Emigrants of Makkah.

The idea of brotherhood was not to encourage parasites subsisting on the generosity of their hosts but to enlarge a self-respecting family. The Prophet (peace be upon him) explained that a family of two would henceforth have two more members added to it and both would work with the result that their income would be doubled, and the standard of living would improve m the same proportion. No one would be a burden on the

other Everyone gladly accepted the proposal. The principle of cooperation and brotherhood immediately solved the problem of the few hundred families who were able to help themselves. After this solution of the problem, distinction between the affluent and the destitute disappeared. Both the Emigrants and their hosts in Madinah became one community. The difference between a refugee and a son of the soil was no longer divisive.

After having dealt with this serious problem the Prophet (peace be upon him) turned to another. Before his migration there existed no state in Madinah. The people were divided into tribes. There were about thirty of them. Each tribe was as independent and autonomous as the nation-states of modem times. The result was constant friction. Historians record that the Ansār of Madinah comprised two principal tribes (in fact two large groups, each being divided into several tribes), i.e., Aws and Khazraj. There was a civil war going on for a hundred and twenty years. It was obvious that they could not have a common government in such a situation. Besides these Arabs, other people had also settled down in Madinah, e.g., the Jewish tribes. The Jews were several thousand in number. Roughly half the population consisted of Arabs and the rest comprised Jews. There was a small number of Christians whose exact strength is not known. An account places their number at fifteen and another at fifty but they were all part of the tribe of Aws.

NEED FOR A STATE

To establish a state in such a heterogeneous community seemed impossible. But it was really needed. After solving the problem of

refugees by creating a brotherhood, the Prophet (Peace be upon him) sent for representatives of all the groups of the Muslims and Jews of Madinah. It is stated in th Sahih of Bukharī, on the authority of Anas, a Companion, that the meeting look place in the house of his father. Among those present were representatives of the Jews and the Arabs. The Arab delegates represented the tribes of Aws and Khazraj — both Muslim and non-Muslim — as well as the Emigrants. The Prophet (peace be upon him) addressed this assembly along the following lines:

> "You are divided at present into various tribes which are completely independent of each other with the result that in the event of one being attacked by an enemy from without, the rest of you remain neutral and one tribe alone has to face the collective might of the invader. This could lead to defeat and the final destruction of all tribes, one by one, if they fight the enerm severally. Wouldn't it be better if all of you join to form a single government so that the enemy knows that it would have to face the collective might of all the tribes of Madinah? Here, then, is a treaty which will provide safety from the enemy and will help improve the economic and social conditions of all the signatories."

The proposal was eminently reasonable. All, or at least most, tribes accepted it. I use the word 'most' purposely because four tribes of Aws did not, in the first instance, accept it.

This was not the sole purpose of collecting the assembly of the people of Madinah. We see another thing in the constitution, known as the Constitution of Madinah, about which everyone agreed. In most matters

the tribes retained their former autonomy but in a few subjects powers were delegated to the central government. One of the central subjects was defence. War and peace were declared as indivisible. Tribes could not now declare war or make peace individually. Defence became a collective responsibility. This was an insurance against external attack.

The tribal sytem was retained to a large extent in the case of judiciary. However, in the event of the parties to the dispute belonging to different tribes, the case had to be referred to the centre. The court of appeal — if we can use this expression – was common, that is, the ruler of the city was to be approached in the last resort. The treaty included a clause about religious freedom. The Jews would follow their dīn and Muslims would follow theirs. And dīn was understood to embrace religion, law justice, etc.

This document consisted of fifty-two clauses all of which have been preserved for posterity. One could say that this is the first written Constitution of the Islamic State.

A short while ago I hinted at the need for insurance. It is a strange phenomenon. The requirements of today are not relevant to the past and the needs of the past appear useless to us today. The Prophet (peace be upon him) was confronted with two pressing problems in Madinah. First, if a person killed another person by accident, that is, not deliberately, he had to pay blood-money. This sum, prescribed by customary law, was so large that only a very few among the tribe could afford to pay it by themselves. It was impossible for others to pay. The penally was a hundred camels. The meat of one camel is enough to feed a hundred persons for a day. At this rate a hundred camels meant feeding a person

for ten thousand days. This was the blood-money. The payment of such a large amount was not within the reach of the common man. The rich leader of the tribe alone could afford to pay it. But such incidents were a daily routine. A system of collective insurance was, therefore, devised. A killer alone was not to be considered responsible for the crime but the entire community was to share the responsibility and pay the blood-money.

The other requirement of the time — which is irrelevant today — was that a person taken prisoner by the enemy could buy his freedom. This also was expensive. A hundred camels was the price prescribed by customary law. It was not possible for a poor prisoner to secure release. He practically became a slave of his captor. An insurance company would come in handy in such a circumstance. The Prophet (peace be upon him) arranged to set up a unit in each tribe in Madinah. The Insurance Company paid the blood-money for murder or arrest in the event of the failure of the person concerned to do so. In case a unit was unable to meet the expense it was asked to call upon a neighbouring unit to help. When all the units of a tribe were unable to meet the demand the centre helped. This system was established in Madinah and it was incorporated in the written constitution.

The document embodying the Constitution of Madinah is a leading example of the official writing of *Hadīth*.

THE STATE OF MADINAH

The sytem of brotherhood took care of the Emigtants. The City-state then came into existence. This state comprised only one city. It provided

for law and order, justice and other needs, but the Prophet (Peace be upon him) did not stop at this arrangement. In response to the ultimatum of Makkah he visited the environs of Madinah. He went to the north and told the tribes there that even though they were very autonomous and independent, they would be all alone in the event of an attack from an enemy. He advocated an alliance which assured mutual help in the event of attack. Tha idea appealed to the tribes who accepted it and an alliance was formed. It was reduced to writing and the document has come down to us.

The Prophet (Peace be upon him) undertook similar tour to the east and the south. In brief he visited the tribes from time to time and entered into treaty arrangements with various non-Muslim tribes in the second year of Migration. The process continued. The preliminary arrangement made in the early days of Islam catered for peace and solidarity within Madinah, and created a network of friendly tribes around the city-state. In the event of an attack, therefore, an enemy had to face the tribes outside Madinah in the first instance. This was a masterly stroke of political policy which helped the security of Madinah.

Beside these one comes across many transactions which were reduced to writing, some of them being of a private nature. For example, the Prophet (peace be upon him) bought a slave. The document of this transaction is available. It gives details about the price, name of the person from whom the slave was purchased, etc. The Prophet (peace be upon him) freed a slave. The document on this score is also available. It states that so and so is being set free and that everyone should recognise him as a free man and that he should not be treated any more as a bondsman, etc.

Another writing relates to a later period — perhaps 8 AH. It is a letter from the Prophet (peace be upon him) to a resident of Makkah. It says:

"As soon as the bearer of this letter reaches you, be it morning or evening, immediately send me the water of Zamzam".

Similarly letters addressed to governors of various districts and provinces during a later phase when the Islamic State had expanded are also available. Governors asked for instructions on certain issues which were provided from Madinah. In brief, a large number of official documents have been preserved. At least four hundred letters of the Prophet (peace be upon him) have also been discovered. Some relate to the propagation of the faith e.g., those addressed to the Caesar and Chosroes inviting them to accept Islam. Others are treaties of alliance, etc.

Now let us deal with the other aspect of the written *Hadīth* which consist of traditions and are not stale documents. The Companions of the Prophet (peace he upon him] began to compile them privately. Generally the Companions did not know how to read or write, but they were good and sincere Muslims. When they were living in Madinah they often visited the Mosque of the Prophet (peace be upon him). They would listen to the Prophet (peace be upon him) and act on his commands.

BEGINNING OF HADĪTH — COLLECTION

There took place an incident which presumably was the starting point of the collection of Hadīth. Tirmidhi has it in his collection. It is related that a Companion, whose name has not been mentioned, came to the Prophet (peace be upon him) one day and said:

> "O Prophet! The things you tell us every day are extremely interesting, important and essential but I have a weak memory. I tend to forget them. What should I do?"

The Prophet (peace be upon him) replied: "Seek the help of your right hand", i.e., write them down. Possibly he made use of this permission. What happened later is not known.

Another incident which is probably a consequence of the permission to write is that of 'Abd Allāh ibn ʻAmr ibn al-ʻĀs. He was a young man of about sixteen or seventeen; very intelligent, extremely religious and keenly devoted to learning. Later he learnt Aramaic in order to read the Bible. The Prophet (peace be upon him) encouraged him in his literary pursuits. When he heard that the Prophet (peace be upon him) had permitted a certain person to write down the Hadīth he also began to do so. He would take down whatever he heard from the Prophet (peace be upon him).

He had done so barely for a few days when his friends pointed out to him that the Prophet (peace be upon him) was only a human being. He was happy at times and was angry at occasions. It was not appropriate, therefore, to record all his utterances in all his moods. Another person would have acted on their advice to abandon recording the Prophet's sayings but ʻAbd Allāh ibn ʻAmr was a very intelligent man. He thought that instead of taking his friends at their word he should go directly to the source. The Prophet (peace be upon him), in answer to his enquiry permitted him to write: "Even when you are angry?" asked ʻAbd Allāh ibn ʻAmr. The Prophet (peace be upon him) replied: "By the One in

Whose hands is my life! Whatever proceeds from here [pointing to his mouth] is the truth."

It is clear from his account that 'Abd Allah ibn ‘Amr ibn al ‘Ās wrote down he *Hadīth* with perfect equanimity. Some accounts suggest that his collection contained some ten thousand traditions. Basedon this manuscript, his sons and grandsons imparted knowledge of *Hadīth* to succeeding generations. As a result ‘Amr ibn Shu’ayb ibn ‘Abd Allāh ibn ‘Amr ibn al- ‘Ās. who was the grandson of ‘Abd Allāh, became a famous traditionist.

There are other examples of this nature. Abū Rāfi’ was a freed slave. He too approached the Prophet (peace be upon him) for permission to write down the traditions. The permission was granted. He too must have compiled a collection. Of all these narrators Anas ibn Mālik is the most significant. He was barely ten years of age at the time of Migration. He was the son of parents who were very sincere Muslims. Anas himself narrates that his mother presented him to the Prophet (peace be upon him) at his house and said with great pride that her boy knew how to read and write. She then requested the Prophet (peace be upon him) to do her honour by accepting the boy in his service. Anas narrates that the Prophet (peace be upon him) acceded to his mother's request and he remained in his house until his death. For ten years he had the rare privilege of observing the public and private life of the Prophet (peace be upon him). He saw what the Prophet (peace be upon him) did in the mosque; at home he observed how he dealt with his wives. He saw what he ate, how he slept; in fact, he observed everything.

It is obvious that such an opportunity was not available even to the most eminent Companions. Abū Bakr and ‘Umar could not see the Prophet (peace be upon him) from such close quarters. Anas narrates that the number of Muslims increased after the death of the Prophet (peace be upon him) and they were all anxious to learn about his life.

A large number of pupils, therefore, came to him. He would, on such occasions, take out an old piece ot writing from his box and say that he had noted down what he observed and presented the notes to the Prophet (peace pon him) from time to time. The Prophet (peace be upon him) used to any omissions or mistake. This collection of Anas must have had a few thousand traditions. It could be considered the most authentic book of traditions because the Prophet (peace be uponn him) himself used to correct it listening to the narrator.

EARLY COMPILATION OF HADĪTH

There are more examples of this kind. *Hadīth* was compiled with the permission of the Prophet (peace he upon him) during his life time. Bukharī ’s collection does not contain more than two thousand traditions. According to some accounts, the collection of Abd Allāh ibn Amr ibn al-‘Ās contained ten thousand traditions. You can judge for yourself what a large number of traditions had been reduced to writing during the life-time of the Prophet (peace be upon him). Unfortunately, however, all of them are not available to us in a book form. The later compilers spread them over in various chapters. Some of the traditions in the collection of ‘Abd Allah ibn ‘Amr ibn al-’As were included in one chapter while others were written down in another. His original collection has not reached us.

In any case it is perfectly clear that the process of collection had started during the life-time of the Prophet (peace be upon him) and that additions too continued to be made. After the death of the Prophet (peace be upon him) the number of Companions who considered it necessary to record their memoirs on this score increased. They did not think of it during the life of the Prophet (peace be upon him). After his departure, however, they felt that the legacy, unless preserved, would be lost to posterity We come across the mention of many a collection of this kind in the books on *Hadīth* e.g. Samurah ibn Jundub. ‘Abd Allāh ibn Mas’ūd, Sa’d ibn ‘Ubādah and many other Companions. Of one of these Ibn Hajar has written: “It contains great knowledge”. Of another collection he says that it was voluminous.

NARRATIONS OF COMPANIONS

This was one kind of collected *Hadīth*. Another was what people narrated from the Companions e.g. a person needed to find out something about an issue. He would write to some senior Companion in the hope that he would know. In reply the Companion concerned would state that he had heard it from the Prophet (peace be upon him) or that he had seen him do that. This process of collection and collation of traditions continued through correspondence with senior Companions. Among them we see such revered names as ‘Ā’ishah, the wife of the Prophet (peace be upon him). She used to receive a large number of enquiries to which she always replied. The other eminent Companion is ‘Abd Allāh ibn abī ‘Awf. Of him it is mentioned in the *Sahīh* of Bukhārī that whenever he received a letter he promptly responded. This was also the case with Mughīrah ibn

Shu'bah. People like Mu'āwiyah, the Umayyad Caliph, used to write to him to ascertain his view on leading issues.

In the beginning when *Hadīth* was collected by Companions in the the manner we have indicated. Their collections were named after them. For example, a person in some city would go to Abu Hurayrah and collect the traditions heard from him. He did not have the opportunity of learning from the Companions who lived in other cities. The traditions narrated from individual companions were reduced to writing and after two or three generations, all the available traditions came into the knowledge of all scholars.

There is an interesting anecdote about Abū Hurayrah. He is one of those Companions who were late-comers to Islam. He became a Muslim in 7 AH i.e. only three years before the demise of the Holy Prophet (peace be upon him). Even then a large number of traditions have been attributed to him. He himself explains the reason.

> "Other Companions remained busy all day with their trade and conducted their business while I stayed content in the Prophet's Mosque. The opportunity that I had of listening to the discourse of the Prophet (peace be upon him) was not available to eminent Companions."

Abū Hurayrah had a sharp memory and a yearning for knowledge and knew how to write, with the result that he wrote down many traditions. During his last years one of his pupils, Hasan ibn 'Amr ibn Umayyah al-Dumrī reminded him of a certain tradition that he had narrated to him. Abū Hurayrah could not recall it and emphatically denied having made the statement attributed to him. He got hold of the pupil's hand and led him to

his house saying on the way that if he had really related the *Hadīth* in question, it should be available with him in writing. When he came home, he took out a volume from a cupboard, turned its pages but could not find the quired narration. One by one, he look out the other volumes and began examining them until he cried out with glee: "Didn't I tell you that if I have made the statement it should be available with me in writing? Here it is! You are quite right!"

Abū Hurayrah's mthod of work was scholary and indeed interesting. He did not make his pupils learn one and the same thing. Instead he taught different traditions to different students. For Hammam ibn Munabbih he compiled, for example, a special volume comprising about hundred and fifty traditions This is known as *Sahifat Hammām ibn Manabbih.* He would compile a fresh volume for another student which would he known by that particular student's name. In brief, Abū Hurayrah knew thousands of traditions by heart and ihe numerous volumes he compiled for his pupils are still intact.

PROHIBITION TO WRITE HADĪTH

There are traditions which indicate that the Prophet (peace be upon him) forbade the writing down of his sayings and deeds. We also come across traditions which clearly suggest the "help of the right hand", i.e. a command to write down what the Prophet (peace be upon him) says for he cannot utter a wrong word. How do we reconcile the two statements? This difficulty no longer exists.

A number of Companions have stated that the *Hadīth* should not be written down but they do not attribute their statement to the Prophet (peace be upon him). We need not discuss the views of the Companions but we have to take account of those who suggest that the Prophet (peace be upon him) told them not to write down his traditions. We find three Companions in this category. One is Abū Hurayrah who has recorded a large number of traditions. The other is Zayd ibn Thābit and the third is Abū Sa'īd al-Khudrī. So far as Zayd ibn Thābit and Abū Hurayrah are concerned, experts on *Hadīth* have rejected the statements attributed to them. They hold that the intermediary narrators are not reliable. They have made a mistake and according to the principles of *Hadīth*, their statements are not acceptable. Only the statement of Abū Sa'īd al-Khudrī is important from the point of view of the principles of *Hadīth* because an authentic collection like the *Sahīh* of Muslim contains the following words:

> "The Prophet (peace be upon him) told us not to write down any traditions from him and asked us to erase them if we had already written them."

In the presence of this tradition the question arises whether the statement related to a particular context or it was a general rule. Professor Mustafā al-A'zamī, who is an expert on *Hadīth*, has contributed an interesting piece of research on the subject. He says:

> "Imam Bukhārī has rejected the tradition narrated in the *Sahīh* of Muslim on the ground that it was based on a misconception. In fact this was the personal opinion of Abu Sa'īd al-Khudrī which for some reason has been attributed by an intermediate narrator to the Prophet (peace be upon him)".

No proof, in accordance with the principles of *Hadīth*, is available to uphold the veracity of the tradition that the Prophet (Peace be upon him) forbade the writing down of tradition. Assuming that the Prophet (Peace be uopn him) at some time gave the prohibitory order, it is easy to clarify the confusion. The order must have been given in some specific context. We have the example of Abū Hurayra, an extremely religious man, who scrupulously carried out instructions contained in the *Hadīth*. Had the Prophet (Peace be upon him) prohibited writing down of the *Hadīth* he would not have written the many books that he has.

It is possible that the prohibitory order related to a certain circumstance and that at the time of recording that context was not mentioned e.g. the sayings of a certain day were not written then but were recorded later in accordance with the general permission. There must be a certain context. The Prophet (peace be upon him), for example, according to the Hadīth one day narrated to the Muslims the events which were to befall them until the day of Resurrection. He gave them details of the countries they would conquer, the lands they would visit, and referred to several other events. Some Companions, it is reported, asked why it was necessary for man to strive if the future had already been determined. It is also possible that there might be some other reason.

Some books of *Hadīth* are also attributed to Zayd ibn Thābit. However, the fact that the most eminent Companions such as Abū Bakr, ‘Umar and ‘Alī are not mentioned to have compiled any works about *Hadīth* whereas lesser Companions are reported to have done so raises the question: “What did these eminent Companions do about the *Hadīth*?” It is related about Abū Bakr that after the death of the Prophet (peace be upon him), he devoted the rest of his short life of two and a half years, to

the compilation of a volume of *Hadīth*. It contained five hundred traditions. He entrusted the manuscript to his daughter, 'A'ishah. The day he handed over the volume to her he stayed in the house of 'Ā'ishah and spent a sleepless night. She is reported to have said that her father was so restless that she feared he had fallen ill. She did not have the courage to ask him even the next morning. Abū Bakr himself started the conversation. he asked his daughter to bring the book he had given her. When she gave him the manuscript Abū Bakr washed it away with water. He said:

"It has some traditions which I have herard myself. I can vouch for them. But it has also some traditions which I have heard from other Companions. I fear that the words I have used there might not be exactly those uttered by the Prophet (peace be upon him). I do not want to attribute to him a word which was not his and was employed by another to express the Prophet's intent."

This *Hadīth* also brings out the point that had the Prophet (peace be upon him) forbidden Abū Bakr to write down *Hadīth*, he would not have prepared the volume that he had. His action to wash away what he had written down was not due to the prohibitory order but because of the fear that he might not attribute words to the Prophet (peace be upon him) which he had not uttered.

A similar tradition Is also narrated about 'Umar. At one time he tned to compile Hadith. He consulted a number of people and they all advised him to compile it. But after a good deal of debate 'Umar opted against it. He said:

"Before us followers of various Prophets acted upon their words and preserved them but they forgot the book revealed by God and deviations started. I do not wish the Qur'ān to meet the same fate."

That 'Umar once intended to compile the *Hadīth* and later gave up the idea, also goes to prove that the Prophet (peace be upon him) had not forbidden the writing of Hadīth. For had this been the case 'Umar would not have initiated the idea which he gave up in order to ensure that the attention of the people was not diverted from the Qur'ān.

'Alī during the days of his Caliphate, once said: "Whoever can afford to spend a *dirham* let him buy paper. I will dictate traditions. Let him take down." One of his Companions went to the market and bought paper worth a *dirham*. 'Alī dictated a number of traditions which remained safe in his custody. Tins incident also proves that the Prophet (peace be upon him) did not prohibit the writing down of his traditions, or else eminent Companions like Abū Bakr, 'Umar and 'Alī would not have dared write or dictate them.

QUESTIONS

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ANSWERS

Question: Why do we disagree on books of *Hadīth*? The Sunnīs have six collections of authentic traditions known as Sihāh Sittah and others, but the Shī 'ah reject them all and rely on their own books. What is the reason for such differences?

Answer: The work of collecting, collating and preserving of the *Hadīth* and carrying it forward from one generation to anotherdid not start under official auspices either in the life-time of the Prophet (Peace be upon him) or his four successors. Different individuals privately undertook it on their personal responsibility. Suppose for a moment that there was a class of fifteen students learning this subiect from one teacher, It is obvious that everyone would not have the same capacity to learn). On this account a tradition heard from the same teacher by two different students will be narrated by them in ways different from each other. This difference is natural and cannot be eliminated particularly when the substance of a statement and not necessarily its exact words are reported.

In this process one comes across delicate situations when the change of a word can alter the meaning of a statement. One man has a good memory while the other is devoid of this gift, or it could be that a man had a good memoy at one stage of his life and not so good at another but nevertheless he continued to teach. That is why we see discrepancies in the *Hadīth*. One of the reasons is that a narrator could have made a mistake. Another could be that the Prophet (peace be upon him) gave a

particular order at a preliminary stage and subsequently abrogated it and gave a new order. Under the circumstances, Companion A has the first version but not the second or the third. It is obvious that there will be a discrepancy between the statements of A and the other Companions coming after him. The reason is that sometimes in view of the limitations of a community or in some other context, an order given in the first instance needs later to be revised. I have already cited an example, i.e., the case of male and female date-palms. The Prophet (peace be upon him) personally gave a clear order and cancelled it later.

Another example is even more interesting. Worship of graves have been a common failing in human society. It was also prevalent in Arabia before Islam. The Prophet (peace be upon him) forbade visits to graveyards to stop this custom. The idea was to encourage people to seek favours God rather than the dead men in the graves. A little later, however, he restored the previous practice with the words: "Listen! I forbade you to visit graves. Now you may do so." The original order was rescinded, not because the Prophet (peace be upon tom) had changed his opinion but because the context had changed. Indeed he had wanted to stop people from visiting graves but a lesson is also learnt in a visit to a graveyard; the visitor ponders over the fact that he too has to die one day and that he should, therefore, prepare for the eventuality. It was in order to promote such thinking that the permission to visit graves was given. The possibility of grave-worship was eliminated by means of religious instruction.

The difference of opinion about *Hadīth* is inter-sectarian. Differences of opinion exist between the sects as well as within the members of each sect. Experts on *Hadīth* have not been remiss in removing these difficulties. They have tried to resolve the issue by various means e.g. they

insist on a chain of narration, a feature peculiar to Muslims, and practically unknown to others. For example, if we refer to a fourteen hundred years old tradition and attribute a statement to the Prophet (peace be upon him), the reference will be considered incomplete. On the contrary, if we state that our teacher Mr. A said that his teacher Mr. B, C or D — thus citing names of all teachers from generation to generation said that he heard a particular Companion say that he heard it from the Prophet (peace be upon him); this reference would be considered complete. In the books of *Hadīth* there are brief statements covering a line or two preceded by a long chain of names. The traditions narrated by Bukhārī, one of the oldest collectors of *Hadīth*, sometimes start with three intermediate narrators, the maximum number being nine, and culminate with the Prophet (peace be upon him). This means that in the course of some three hundred years nine generations of narrators had related that *Hadīth*.

To verify whether a reference is complete or not we need books of biographies with detailed accounts of all narrators. For example, a statement is made that were students of Abū Hurayrah. If we come across a statement that A, B or C narrates that "Abū Harayrah stated. . .” With the help of the books of biographies one could say that since it is established that all narrators are reliable and their relationship is that of a teacher and a student, the statement in question is acceptable. One will also have to evaluate the personal character of each narrator — his reliability, his memory, etc. Furthermore, one will have to examine who among them was the teacher and who was the pupil so that with the help of books of biographies we could determine whether the reference to the narrators is fictitious or genuine.

After this came the science of principles of *Hadīth*. These principles laid down the line one should take if a *hadīth* contained statements which militated against common sense or reason. In the event of other defects and shortcomings, rules for their resolution were also laid down.

Muslims formulated two principles — correct narration of a statement and its rationality (*dirāyah*). According to the principles governing the narration of a statement one will have to examine whether the narrators are real or fictitious, whether they are persons of integrity or have a reputation of being liars, whether they have a teacher-pupil relationship or not. This has traditionally been the criterion for judging the authenticity of a narration.

According to the principle of rationality (*dirāyah*) one examines whether a statement is rationally sound. Let us suppose there is a *Hadīth* which refers to an incident taking place in Bahawalpur at a certain time. In such a case, one will have to consider whether the city called Bahawalpur in fact existed at that time. If that city did not exist, its mention might be because of some error that might have been committed by one scribe or the other, or else the *Hadīth* is fabricated.

Perhaps the Prophet (peace be upon him) did not refer to Bahawalpur but used some other word which has been corrupted in the course of time and has become Bahawalpur. We will have to find an answer to these and other questions through rational analysis, and we could then resolve the incongruities and inconsistencies in accordance with the principles evolved by the science of *Hadīth*.

Similarly, there could be a conflict between two traditions. One prescribes a certain course of action, the other forbids it. The way to resolve these difficulties is available in books on principles of traditions. It is possible for example that an order might be of an earlier, and another of a later period. The later period will naturally cancel the earlier. It could also be that an order might be general while other might be meant for a particular occasion.

There are different ways to resolve the inner contradictions in each tradition as well as Contradictions between different traditions. Muslim scholars have paid due attenation to this subject. No other nation can claim even a fraction of the expertise to determine the veracity of historical accounts. For instance, the compilation of the Gospels, their preservation and transmission from one generation to the other, has not taken place in the way which governed the books of *Hadīth*. On the contrary, we have no knowledge of Gospels until after three hundred years of the death of Christ. We do not know who wrote them, who translated them, and who transmitted them. How were they transferred from the original Aramaic to Greek? Did the scribes make arrangements for a faithful reproduction of the original?

The four Gospels are mentioned, for the first time, three hundred years after Christ. Should we rely on such an unauthentic book in preference to that of Bukhārī who prefaces every statement of two lines with three to nine references? A question would arise: what is the proof that Bukhārī has made a truthful statement? Is it not possible that he could fabricate a tradition and attribute it to a few narrators and end the chain with the Prophet (peace be upon him)? The objection appears rationally valid but

really it is baseless. The reason is that the books of the narrators who have quoted the *hadīth* are also available to us for verification.

There is no valid reason, therefore, to cast any doubt on Bukhārī. He says, for example, that Imām Ahmad ibn Hanbal narrated to him a certain tradition and stated that it was narrated to him by ‘Abd al-Razzāq ibn Hammām. who in turn heard it from his teacher, Mu'ammar, who claimed that his master Hammām ibn Munabbih heard it from Abū Hurayrah, the Companion of the Prophet (peace be upon him), who in his day heard it directly from the Prophet (peace be upon him). We have the book of Bukhārī with us. In case we had no knowledge of the intermediary narrators we could have presumed, as an academic exercise, that Bukhārī was perhaps unreliable. But if we have the book of Ahmad ibn Hanbal, who is the teacher of Bukhārī, and we find the tradition in question narrated exactly in the same way without any difference, then we will have to concede that Imam Bukhārī is reliable because he has faithfully reproduced the version of Ahmad ibn Hanbal in exactly the same words as used by him.

We could suspect the statement of Ahmad ibn Hanbal and question his claim that he heard the *hadīth* from ‘Abd Razzāq ibn Hammām if the latter's book had not been available. Thank God that ‘Abd al-Razzāq ibn Hammām’s, *Musannaf* is extant, and has now been published. He too bears out Bukhārī ’s version. Similarly we have fortunately found al-Jami’,the book of Mu’ammar ibn Rāshid who was the teacher of Hammām ibn Munabbih. This also contains the same statement in the same words. The *Sahīfah* of Hammām ibn Munabbih has also been published. It confirms the veracity of Bukharī ‘s statement at our disposal. If all of them'contain the same version it would be unfair on our part to cast

aspersions on the integrity of Bukhārī. Reason demands that we accept the *hadīth* in question as being entirely reliable.

There are traditions which confirm each other. For example, if Tirmidhī has narrated the same tradition based on another chain of authorities it is impossible to believe that fifty persons belonging to various periods of history could agree in advance to narrate an untruth. In brief, these are the technical principles which are applicable to the narration of *Hadīth*. No other book, not even most of the religious scriptures like the Torah, the Gospels, etc., have been subjected to the same exacting rules which govern the authenticity of *Hadīth*.

In principle it is correct to say that there can be a difference between the Shī'ī and Sunnī books of *Hadīth* but in practice this is a mere presumption. There is certainly a different chain of narrators. For example, I make a statement on the basis of a tradition heard from Abū Bakr while the same tradition is narrated by a Shī'ī narrator on the authority of 'Alī.

The presumption that there is a difference in all the Shī'ī and Sunnī traditions is incorrect. The difference exists only in the case of narrators, and not in the contents of the traditions narrated. Rarely is there any contradiction. So far no specific evidence has been discovered to warrant the conclusion that the Shī'ī books contain one order about a particular problem while the Sunnī books suggest a contrary solution.

The differences that we come across are of another nature. The Sunnīs, in particular those belonging to the Hanafī, Shafi'ī and Hanbalī schools, say their prayers with their arms folded against their chests; the Shī'īs keep their arms straight on their sides. This is not because there is a difference in the *Hadīth* but because the Prophet (peace be upon him)

himself has prayed in both manners. The point is easy to understand. Suppose, for example, the Prophet (peace be upon him) sustained an injury during a battle and could not fold his hands. What would he do in such a situation except to pray without folding his hands? Someone saw him in that posture and did not have an oppturnity to see him later in the other when he resumed folding his hands against the chest. such a Person would act on the practice of the Prophet (Peace be upon him) which he saw. This aspect assumes a particular significance for us.

As I mentioned earlier, a teacher of mine in the primary school explained this point some sixty-five years[1] ago to me and I cannot forget it. God Almighty, he said, loved the Prophet (peace be upon him). For the prophet's sake God desired to preserve every action of his until eternity. Through people such as the Shī'ī he preserved his practice of praying without folded arms, while he preserved his precedent to pray with folded arms through another group. The difference that we notice in practice, therefore, proceeds not through a faulty recording of the tradition, but through the observation, at different times, of the actions of the Prophet (peace be upon him). We should, therefore, develop an attitude of mutual tolerance.

Instead of recrimination over a difference in the narration of *hadīth*, we should presume that the Prophet (peace be upon him) pronounced a verdict in a particular case and gave another when the context changed. Let us take another example — which is in the news these days i.e. amputation of hands for theft. The Sunnīs suggest the severance of the hand from the wrist, while the Shī'īs uphold the cutting of fingers only.

[1] The author made this statement in 1980.

Do not imagine for a while that this is due to a difference in the *Hadīth*. In the traditions preserved by the Sunnī scholars it is also mentioned that the Prophet (peace be upon him) once ordered fingers to be severed. In such a circumstance, instead of making it a basis for sectarian differences we should learn to tolerate each other and try to act on the tradition according to our own school. There is no point in trying to eliminate such differences altogether for this is not possible.

Question: Did Abū Hurayrah know how to read and write? Even though he related a large number of traditions, one of them relates that he used to say that ‘Abd Allāh ibn ‘Amr ibn al-‘Ās knew more than him because he could write while Abū Hurayrah could not.

Answer: There is no contradiction in this statement Abū Hurayrah knew not only how to write Arabic but he also knew the Abyssinian language. He knew Persian and other languages as well. He was indeed an eminent scholar. Abd Allāh ibn ‘Amr started writing before him. Abū Hurayrah thought of it later. It is obvious that ‘Abd Allāh ibn ‘Amr had compiled a large number of traditions in writing but Abū Hurayrah who also knew these traditions did not have them in a written form. The other point is that ‘Abd Allāh ibn ‘Amr was an early convert having accepted Islam during the Makkan period, while Abū Hurayrah became a Muslim in 7 AH It is clear that a person who began writing earlier would have a larger collection of traditions but a person who knew writing but began later to write the traditions would have a smaller number. There is no contradiction in the two statements.

Question: You just mentioned in your lecture that the Prophet (peace be upon him), in response to a to a question by a Companion, stated: "By God! Whatever flows from my tongue is from Allah." That is to say that the Prophet (peace be upon him) does not utter a word without the will of God. But some 'ulamā' suggest that one may differ with the Prophet (peace be upon him) for all his sayings are not necessarily infallible. Could you kindly comment?

Answer: I have already explained that if the Prophet (peace be upon him) comes to know of anything through revelation his statement would be based on it. In case he is still awaiting a revelation and an emergency occurs in the meanwhile, he will resort to an act of *ijtihād* i.e. he would give direction in accordance with his own reason. In this connection I invite your attention to the *Hadīth* which says: "I would not have consulted you if I had received the revelation".

It is clear from the above that on occasions the Prophet (peace be upon him) waited for a revelation and resolved problems in the meantime by exerting his own reason (*ijtihād*). Some of the orders that he gave in such circumstances were later abrogated by the revealed word. In this connection the question of the treatment of prisoners of war is relevant.

The question arose during the Battle of Badr. In the absence of revealed guidance, and while waiting for it , the Prophet (Peace be upon him) consulted his companions. 'Umer advised they should be put to death for they would never accept Islam and would remain its inveterate foes. Abu Bakr disagreed. He thought it was quite possible that their progeny might accept Islam. He advised against killing them and recommended ransom for their release. The Prophet (peace he upon him) accepted ihe

recommendation and odered that the prisoners of war should be released after they had paid ransom money. God did not approve of this decision. He said: "Had there not been a decree from Allāh which had gone before, great distress would have surely overtaken you in connection with that which you look". (8:68)

you have seen that in the absence of revelation the Prophet (peace be upon him) took decisions at occasions, with or without consultation, to meet a given situation on the basis ol his own discretion. Sometime such decisions were not approved. They were abrogated by revelation. I should explain this a little more.

There are verses in ihe Holy Qur'ān exhorting Muslims to act on the law of the Prophets of old. The Torah contains a command that booty obtained from an enemy should be burnt. It belongs to God. "Burn it in order to deliver it to Him. Do not avail of it yourself", says the Torah. In the absence of a fresh directive on the subject it was expected of the Prophet (peace be upon him) to act on the old Divine instructions. For some reason the Prophet (peace be upon him) did not act accordingly. At this God revealed the verse: "Had there not been a decree from Allah which had gone before, great distress would have surely overtaken you . . ." (8:68). In any case, there is no difference between the two. Take the tradition "that nothing comes out of my lips which is not the whole truth", to mean that either the Prophet (peace be upon him) explains a thing received through revelation or through exertion of personal reason. He says nothing in either case deliberately to mislead anyone. He commends only that which is not forbidden by God and is considered the best possible. There is, therefore, no contradiction between the two stands.

Question: What are the arguments employed by people who indulge in false propaganda by suggesting that the Hadīth was compiled three hundred years after the Prophet (peace be upon him)?

Answer: Such people consider the Sahih of Bukharī which belongs to the third Hijrah century as the oldest book of Hadīth. But they ignore the peri intervening between Bukharī and the Prophet (peace be upon him) during which Bukhārī 's teacher, and in turn the teacher of Bukhārī 's teacher collected the *Hadīth*. The missing links have since been provided. The old objection raised by Goldziher on this score is no longer valid.

Let me tell you an anecdote in this connection. I wrote a paper in German which was published in a German journal a few years ago. It dealt with the same issue and argued that the old thesis of *Hadīth* having been compiled three hundred years after the event has been eroded. A German professor published a paper in the same journal some six months after the publication of my article. He repeated the old arguments about the unreliability of *Hadīth*.

It has always been my principle to refrain from criticising anyone. I try to present facts in a manner that a critic would find an answer to his objections in the narration itself. When the article of the German professor was published the editor of the journal wrote a footnote suggesting to the author that he should read my article published in a particular issue of the journal. One can judge for oneself the principle which is best pursued in such cases.

Question: Why is *hadīth qudsī*, which is couched in the words of God, not included in the Qur'ān?

Answer: The Prophet (peace be upon him) did not consider it necessary to do so. It would have added greatly to the bulk of the Book. It was better to keep it compact. To provide the necessary emphasis the Prophet (peace be upon him) occasionally explained certain problems which have been recorded both in the ordinary *hadīth* and the *hadīth qudsī*. There is nothing in the latter category which is considered an addition to the Qur'ān. In fact it is a restatement of the Qur'ān.

Question: You stated that a system of insurance existed during the days of the Prophet (peace be upon him). Could you kindly elaborate whether the system now obtaining is different from the old one because modem insurance is considered to be violative of the *Sharī'ah*?

Answer: There are two systems of insurance in vogue today. One is capitalist and the other is co-operative. In the former system, capitalists establish insurance companics and charge clients a sum which is more than the risk covered by an insurance policy. The capitalist collects all the profit. In the co-operative system the clients share the profit. Take the automobile insurance as an example. Five hundred persons enroll as members and each pays an annual subscription of a hundred rupees. In the first year the revenue of the company may amount to Rs. 50,000 while it might have paid only Rs. 2,000 to a member involved in an accident. Besides it incurred an expenditure of Rs. 10.000 on the salaries of the staff. The rest remained safe in its custody. The next year, therefore,

members may be required to pay less than one hundred rupees for their annual subscription.

The capitalist pockets the entire profit in the capitalist insurance system but the clients share the profit in the system of co-operative insurance. The system obtaining in the days of the Prophet (peace be upon him) resembled the co-operative system more than the other one. In fact it was based on mutual help and cooperation. All members of a tribe contributed a small sum to the tribal treasury. In the event of an accident the accumulated capital was used to pay the fine of a member. Then the system was extended to ensure that if a tribal treasury could not meet the requirement, it could get help from a neighbouring committee. In the event of such a committee not having the necessary funds at its disposal, the centre was eventually held responsible for payment of the claim. These were the two different systems which I cannot explain fully in all their technical details.

Question: After the confession of a mistake by a person is it necessary to punish or fine him? Is pardon against the principles of Islam?

Answer: I take it that by 'mistake' you mean a crime. There are two kinds of crimes — one for which a penalty has been prescribed by the *Sharīah*, it is called the limit (*hadd*) e.g. theft, drinking, murder, etc. There are seven or eight crimes for which specific penalties have been ordained. There is no pardon in such cases. If a person has committed a theft, for example, his hand will be cut off even though he seeks pardon. In the case of murder the judge will pronounce the punishment of death but the near relations of the murdered man have the right either to demand ransom or

forgive altogether. All these details can be seen in books on *Hadīth* and jurisprudence.

Question: Why is an orphan deprived of the right to inherit from his grandfather? What is the motive behind it?

Answer: Law is based on principles and a principle can sometime hurt a person. A general principle cannot be changed because a particular person has suffered on this account. The general principle is that in the event of death, some relations of the deceased are entitled to inherit in accordance with the formula laid down in the Qur'ān. If by chance someone suffers on this account the remedy has also been spelled out in the Qur'ān and the Hadīth. There also is the law of testamentary disposition in Islam which makes it possible for a person to will a share of his property to a person who is not otherwise entitled to inherit him. The general principle is that the son should inherit. The sons of the son, in turn, will inherit from him and not from the grandfather. But in a particular case where the father is already dead, the g ndfather can will a portion of his property to his grandson. This provision for special cases obviates the necessity of changing the general law. It solves problemes and implications of individual cases without changing the general law. The philosophy of law in Islam stipulates that law should embrace all and that the exceptions Should be made only in case of genuine necessity.

The **Emergence of Islam** is an attempt to present, in clear and simple English, the contents of a series of twelve lectures delivered by Dr. Muhammad Hamidullah in March 1980 at Islamia University, Bahawalpur. The lectures, which were delivered without even the help of notes, are the result of a life-long study of, and reflections on, the early period of Islam by one of the best-known Muslim scholars of our time. In these lectures the learned author attempts o highlight the basic thrust of Islamic teachings and to outline the formative period of Islam's intellectual and institutional history. Drawing upon his vast reservoir of knowledge, Dr. Muhammad Hamidullah attempts to explain, in a manner that would make even a lay audience appreciate, the genesis and growth of Islamic thought, society and state, and of the institutions which were developed o translate Islamic norms into terms of practice.

Delivered in an easy-to-understand Urdu, and a style that is inimitably simple, informal and lucid, the lectures are strikingly free of academic jargon and pedantry. The author successfully attempts to convey a synthetic picture of Islam as it unfolded itself in the early period of its history - as a religion, as a community, as a state, as an intellectual tradition, and as a set of institutions which evolved under Islamic inspiration. Luckily, the lectures, which had a large audience who found the presentations very illuminating, were tape-recorded. This made it possible o have them transcribed and subsequently to publish them, presumably without the least editing, under the title Khutbat-i Bahawalpur ("Bahawalpur Lectures"). A slightly revised edition of the Lectures was published in 1985 by the Islamic Research Institute. Since then, the Lectures have gone into several prints. The interest they generated and the appreciation they evoked are an index of the esteem in which Dr. Hamidullah's scholarship is held, especially in the South Asian Sub-continent.

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